

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION

WEST VIRGINIA UNIVERSITY)
HOSPITALS, INC., UNITED HOSPITAL)
CENTER, INC., WEST VIRGINIA)
UNIVERSITY HOSPITALS-EAST, INC.,)
CITY HOSPITAL FOUNDATION, INC.,)
and WEST VIRGINIA UNITED HEALTH)
SYSTEM, INC.,)
Plaintiffs,) Civil Action No. 1:10-cv-00097-FPS
v.)
UBS FINANCIAL SERVICES, INC. and UBS)
SECURITIES, L.L.C.,)
Defendants.)

JOINT STATUS REPORT

1. Pursuant to the Court's order dated July 1, 2010, the parties in this case (the "West Virginia action") submit this joint status report regarding the proceedings in the Southern District of New York and the Second Circuit that are described in the joint stipulation dated June 30, 2010. As the Court knows, this action currently is stayed until 30 days after a decision on UBS's preliminary injunction application in the Southern District action, which in turn has been stayed pending a decision in the Second Circuit appeal.

2. On September 24, 2010, the parties to the Second Circuit appeal agreed to dismiss the appeal. In light of the dismissal of the appeal, the parties have agreed to lift the Southern District stay and resume motion practice in the Southern District. The parties plan to submit a scheduling stipulation for that Court's approval.

3. Accordingly, the parties agree it would be efficient to continue the stay of the West Virginia action until 30 days after the Southern District has decided the preliminary injunction motion or until the action is otherwise dismissed.

Dated: October 1, 2010

WEST VIRGINIA UNIVERSITY
HOSPITALS, INC., UNITED
HOSPITAL CENTER, INC., WEST
VIRGINIA UNIVERSITY
HOSPITALS-EAST, INC., CITY
HOSPITAL FOUNDATION, INC., and
WEST VIRGINIA UNITED HEALTH
SYSTEM, INC.,

Plaintiffs,

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UBS SECURITIES LLC,

Defendants,

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